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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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SUITER- WEST-SWANTZ PC LLC
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EXAMINER

STIGLIC, RYAN M

ART UNIT	PAPER NUMBER
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2112

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/664,388

Applicant(s)

KABENJIAN ET AL.

Examiner

Ryan M. Stiglic

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-31 are pending and have been examined.
2. Claims 1-31 are rejected.

Response to Arguments

3. Applicant's arguments filed October 13, 2005 have been fully considered but they are not persuasive.

- a. In response to applicant's Remarks for claims 1, 9 and 17 regarding the PRO II device failing to operate as a USB mass storage device, the Examiner respectfully disagrees. In the article titled, "Atech Flash Technology PRO II Flash Card Reader" from steves-digicams.com the first figure on page 2 of 4 demonstrates a view of a three Removable Disks with drive letters J through L (inside a box). These three drives represent the various flash media devices inserted into the PRO II. Furthermore, when the PRO II is installed in an operating system such as Windows XP, no *new* drivers are needed (Article titled "Featuring PRO II" from Atech Flash Technology's website; page 2 "Plug & Play for: Windows ME/XP (no software driver required)" Further supported by the PRO II Manual page 5, **Software Setup**, "Once you plug in the two external USB cables (as described in Hardware Setup), your computer shall immediately recognize the PRO II device and install all drivers automatically). Therefore, since the PRO II does not require specialized drivers they use standard USB Mass Storage device drivers. To support this the Examiner has included an article from Wikipedia.org titled, "USB mass storage device class" that states "Some of the devices which are connected to computers

via this standard are: ...adapters bridging between standard flash memory cards and a USB connection.” Furthermore, the Universal Serial Bus Mass Storage Class Specification Overview states (page 6) “Typically, a Flash device uses RBC command blocks.”

b. In response to applicant’s Remarks (page 8) that, “In contrast, the present invention does not require a driver to read any of the supported media...” the Examiner respectfully disagrees. The Microsoft Computer Dictionary Second Edition defines a device **driver** as “A software component that permits a computer system to communicate with a device. A printer driver is a device driver that translates computer data into a form understood by the printer. In most cases, the driver also manipulates the hardware in order to transmit the data to the device. However, device drivers associated with application packages typically perform only the data translation; these higher-level design drivers then rely on lower-level drivers to actually send the data to the device. Note that many devices, especially video adapters on IBM PC-compatible computers, will not work properly-if they work at all-without the correct device drivers installed in the system.” Therefore applicant’s Remarks are contradictory to requirements of any IBM PC-compatible computer, every peripheral device **must** have associated drivers installed in the computer in-order to communicate with the device.

c. In response to applicant’s Remarks (page 10) that, “Therefore, in accordance with such duty to seasonably challenge such unsupported statements, the Examiner is hereby requested to cite a reference supporting the position that “it would have been obvious to one of ordinary skill in the art to include at least four USB ports on the faceplate such that

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the functionality of the information handling system is improved while at the same time providing enhanced connectivity to peripheral devices...” the Examiner submits the Belkin Hi-Speed USB 2.0 Drive Bay HUB-F5U261, information available at least by November 1, 2002. The F5U261 is a USB Hub that fits into a 3.5” drive bay in a computer tower and provides four additional USB ports for connecting up to 127 USB devices on each port, therefore enabling enhanced connectivity to peripheral devices.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 1-3, 7-11, 15-19, 25-28 and 30-31 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Atech Flash and their product “PRO II USB MULTI-SLOT CARD READER/WRITER” as evidenced by a product review on Steves-digicams.com dated May 09, 2002.

Claims 1-8, 9-16, and 17-24 are substantially equivalent and will be treated as such for the remainder of the Office Action. Furthermore claims 25 and 27-28 are substantially equivalent to

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claims 1, 9, and 17 and will be treated as such for the remainder of the Office Action. Claim 26 is substantially equivalent to claims 2, 10, and 18 and will be treated as such for the remainder of the Office Action. Claims 30-31 are substantially to claims 7-8, 15-16, and 23-24 and will be treated as such for the remainder of the Office Action.

For claims 1, 9, 17, 25 and 27-28:

A USB flash bay for an information handling system, comprising:

- a USB hub communicatively coupled with a USB port (observe the picture on page 1, a USB port [inherently connected to a USB hub] is seen on the faceplate of the PRO II. Furthermore, the PRO II connects to an information handling system through USB [shown as a USB port in the figure on page 3] thus reassuring the fact that a USB hub controller is present in order to facilitate data transfer via USB.) the flash card reader being operable as a USB mass storage device (as noted above, the PRO II installs in a computer system using standard USB Mass Storage device drivers and provides Removable Disk icons representing each of the installed flash drivers);
- a flash card reader controller communicatively coupled with a flash card slot (A flash card reader controller is necessary to read/write data to/from the various memory cards the PRO II supports. As such, the flash card reader controller is inherently present) the flash card reader controller interfacing with the USB hub (As noted above, a USB is inherently present to facilitate data transfer with the information handling system via USB. Therefore, since the PRO II allows users of the information handling system to

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read/write from/to various memory card technologies the flash card reader controller must interface with the USB hub); and

- a faceplate including the USB port (figure on page 1; second figure on page 2; both figures on page 3) and the flash card slot (figure on page 1; second figure on page 2; second figure on page 3), wherein the USB flash bay is suitable for being integrated in a drive bay of the information handling system (paragraph 1 of page 1).

For claims 2, 10, 18, and 26:

The USB flash bay of claim 1, wherein the USB flash bay is capable of integrating in at least one of a standard three and one-half inch external drive bay and a five and one-fourth inch external drive bay disposed within the information handling system (paragraph 1 of page 1).

For claims 3, 11, and 19:

The USB flash bay of claim 1, wherein the USB flash bay is capable of connecting to a peripheral power source and universal serial bus (both figures on page 3; paragraph 2 on page 3).

For claims 7, 15, 23, and 30:

The USB flash bay of claim 1, wherein the USB flash bay is capable of being enclosed in a housing (paragraph 1, page 1).

For claims 8, 16, 24, and 31:

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The USB flash bay of claim 1, wherein the USB flash bay is enclosed in a housing including a connector port adapter suitable for connecting with a variety of information handling systems (As previously noted, the PRO II connects to the information handling system through a USB connection. USB is a widely accepted protocol that almost every information handling system supports, therefore the PRO II is suitable for connecting with a variety of information handling systems).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4, 12, 20, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Atech Flash's PRO II as applied to claims 1, 9, 17, and 25 above, and further in view of Intel (Communication and Networking Riser Specification Revision 1.2).

As noted above, the Atech Flash PRO II is a USB flash bay for an information handling system, comprising:

- a USB hub communicatively coupled with a USB port (observe the picture on page 1, a USB port [inherently connected to a USB hub] is seen on the faceplate of the PRO II. Furthermore, the PRO II connects to an information handling system through USB [shown as a USB port in the figure on page 3] thus reassuring the fact that a USB hub

controller is present in order to facilitate data transfer via USB.) the flash card reader being operable as a USB mass storage device (as noted above, the PRO II installs in a computer system using standard USB Mass Storage device drivers and provides Removable Disk icons representing each of the installed flash drivers);

- a flash card reader controller communicatively coupled with a flash card slot (A flash card reader controller is necessary to read/write data to/from the various memory cards the PRO II supports. As such, the flash card reader controller is inherently present) the flash card reader controller interfacing with the USB hub (As noted above, a USB is inherently present to facilitate data transfer with the information handling system via USB. Therefore, since the PRO II allows users of the information handling system to read/write from/to various memory card technologies the flash card reader controller must interface with the USB hub); and
- a faceplate including the USB port (figure on page 1; second figure on page 2; both figures on page 3) and the flash card slot (figure on page 1; second figure on page 2; second figure on page 3), wherein the USB flash bay is suitable for being integrated in a drive bay of the information handling system (paragraph 1 of page 1).

The PRO II however does not expressly teach connecting the information handling system to the PRO II though a connection other than a USB cable.

Intel teaches in their specification "Communication and Networking Riser" revision 1.2, PC users' demand feature-rich PCs, combined with the industry's current trend towards lower cost, mandates higher levels of integration at all levels of the PC platform (paragraph 2, page 9). As

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such Intel has defined a motherboard riser named the Communication and Networking Riser that supports audio, modem, USB, and local area network (LAN) interfaces of core logic chipsets (paragraph 1, page 9). By integrating the various interfaces into a standard motherboard riser baseline implementation costs are reduced (paragraph 1 and 4, page 9). Furthermore, the CNR specifically addresses noise problems by physically separating noise-sensitive systems from the noisy environment of the motherboard (paragraph 3, page 9).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to implement the Communication and Networking Riser of Intel into the USB flash bay (PRO II) of Atech Flash such that system degradation with respect to increased noise is reduced while at the same time a lower bill of materials cost is achieved.

8. Claims 5, 13, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Atech Flash's PRO II as applied to claims 1, 9, and 17 above and further in view of what was commonly known in the art.

As noted above, the Atech Flash PRO II is a USB flash bay for an information handling system, comprising:

- a USB hub communicatively coupled with a USB port (observe the picture on page 1, a USB port [inherently connected to a USB hub] is seen on the faceplate of the PRO II. Furthermore, the PRO II connects to an information handling system through USB

[shown as a USB port in the figure on page 3] thus reassuring the fact that a USB hub controller is present in order to facilitate data transfer via USB.);

- a flash card reader controller communicatively coupled with a flash card slot (A flash card reader controller is necessary to read/write data to/from the various memory cards the PRO II supports. As such, the flash card reader controller is inherently present) the flash card reader controller interfacing with the USB hub (As noted above, a USB is inherently present to facilitate data transfer with the information handling system via USB. Therefore, since the PRO II allows users of the information handling system to read/write from/to various memory card technologies the flash card reader controller must interface with the USB hub); and
- a faceplate including the USB port (figure on page 1; second figure on page 2; both figures on page 3) and the flash card slot (figure on page 1; second figure on page 2; second figure on page 3), wherein the USB flash bay is suitable for being integrated in a drive bay of the information handling system (paragraph 1 of page 1).

The PRO II includes a single downstream USB port on the faceplate of the flash bay (figure on page 1; second figure on page 2; second figure on page 3;) for connectivity to a peripheral device. OFFICIAL NOTICE is taken in that it would have been obvious to one of ordinary skill in the art to include at least four USB ports on the faceplate such that the functionality of the information handling system is improved while at the same time providing enhanced connectivity to peripheral devices.

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9. Claims 6, 14, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Atech Flash's PRO II as applied to claims 1, 9, and 17 above, and further in view of Li (US 6,681,991 B1).

As noted above, the Atech Flash PRO II is a USB flash bay for an information handling system, comprising:

- a USB hub communicatively coupled with a USB port (observe the picture on page 1, a USB port [inherently connected to a USB hub] is seen on the faceplate of the PRO II. Furthermore, the PRO II connects to an information handling system through USB [shown as a USB port in the figure on page 3] thus reassuring the fact that a USB hub controller is present in order to facilitate data transfer via USB.);
- a flash card reader controller communicatively coupled with a flash card slot (A flash card reader controller is necessary to read/write data to/from the various memory cards the PRO II supports. As such, the flash card reader controller is inherently present) the flash card reader controller interfacing with the USB hub (As noted above, a USB is inherently present to facilitate data transfer with the information handling system via USB. Therefore, since the PRO II allows users of the information handling system to read/write from/to various memory card technologies the flash card reader controller must interface with the USB hub); and
- a faceplate including the USB port (figure on page 1; second figure on page 2; both figures on page 3) and the flash card slot (figure on page 1; second figure on page 2; second figure on page 3), wherein the USB flash bay is suitable for being integrated in a drive bay of the information handling system (paragraph 1 of page 1).

As shown in various pictures, the PRO II includes 3 flash card slots for connecting 5 flash card types. Therefore while the PRO II supports at least 5 flash card slots, it does not expressly teach using at least 5 flash card slots.

Li teaches a card reading device having a multi-functional connector. The card reading device (Fig. 1 and 2) comprises five flash card slots **11** for reading/writing to a variety of memory cards (e.g., SD, MS, CF, SM, SC, MMC, MD) (col. 2, ll. 33-43).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to implement a dedicated flash slot for each memory card type as in the card-reading device of Li into the PRO II of Atech Flash such that a larger quantity of memory cards may be housed and serviced simultaneously.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan M. Stiglic whose telephone number is 571.272.3641. The examiner can normally be reached on Monday - Friday (6:00-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached on 571.272.3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMS



PAUL R. MYERS
PRIMARY EXAMINER